

CIVIL AERONAUTICS BOARD
WASHINGTON

STAFF NOTICE

October 29, 1957

No. 333 (Revised)

To: All Employees

From: Secretary

Subject: Request for information by the Special Subcommittee on
Legislative Oversight of the Interstate and Foreign Com-
merce Committee of the House of Representatives

1. The Special Subcommittee is conducting an investigation of the work of the Board, and this investigation is of great importance to both the Congress and the Board, as an independent regulatory agency created by the Congress. Request has been made by the Subcommittee for access by its representative to the records and files of the Board. Because of various statutory and other provisions and principles, clearance by the Board or other agencies of Government as to certain types of materials contained in the files is necessary or desirable prior to their release to the Subcommittee staff representative, and the Board may desire to confer with the Subcommittee concerning requests for access to certain materials. For the purposes of providing to the Subcommittee representative the maximum amount of materials promptly upon his request, and of establishing procedures in relation to inspection requests looking toward release of other materials, the following instructions are issued for the guidance of the Board's staff.

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2. All employees are directed to extend their full cooperation to the Subcommittee representative. Upon his request, and pursuant to the provisions of this notice, the representative shall be permitted to inspect at their location (or at the representative's office at the option of the custodian of the files) internal files relating to closed proceedings and matters, with the understanding that such materials shall be treated as confidential and disclosed outside the Subcommittee only by direction of the Subcommittee. All internal memoranda (including staff recommendations at all levels, studies, interoffice communications, etc.), correspondence, and any other materials relating to closed matters, except for the few items hereinafter specified, shall be made available to the representative. The items in this category requiring special clearance or treatment, and the instructions and procedures with respect thereto, are as follows:

(a) Security classified materials and other materials held confidential under Sections 1104, 902(f), 18 U.S.C. 1905, or applicable executive orders shall not be released for inspection or their contents divulged until clearance has been obtained from the Security Officer or the Board as to security classified materials, and from the Board as to the other enumerated materials;

(b) Other than for White House communications, communications not heretofore made public between the Board or its members or staff on the one hand, and other Departments and agencies of the Government on the other, shall not be released for inspection or their contents divulged until permission has been obtained from such Department or agency, or, in the event permission is refused, until clearance has been obtained from the Board; 1/

1/ The White House has informed the Board that it has no wish to check any White House documents in the Board's files before such documents are made available to the Moulder Committee. If permission for release of non-classified communications between other Departments or agencies is refused, the Board will communicate with the Subcommittee. Thereafter, upon receipt of specific (continued on p. 3)

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(c) Communications and memoranda between Board members, between Board members and their confidential assistants, and statements made by Board members in the course of their deliberations, on Board matters, together with the Board members' personal notes and work papers relating thereto, shall not be permitted to be inspected nor shall their contents be divulged;

(d) In any instance where the Bureau or Office Head concerned believes that specific Board approval should be obtained before permitting inspection of particular files, he may take the matter up with the Board through the channels hereinafter established in Paragraph 3(e) of these instructions before complying with the request, and shall thereafter be governed by the instructions of the Board with respect thereto;

(e) Lists of any documents withheld by a member of the staff pursuant to the foregoing subparagraphs shall be prepared, specifying the date and otherwise identifying the document, the originating agency or person (where applicable), and the basis for withholding. Such lists (and the documents where physically feasible) shall be transmitted to the Office of Information so that any necessary clearances may be obtained, and the Office of Information shall provide the Subcommittee representative with a copy of such lists;

(f) Copies of documents shall not be removed from the files by the "oversight" representative.

3. The following additional procedures and instructions shall be observed:

(a) Subject to appropriation limitations and security provisions, copies of documents permitted to be inspected shall be provided at the request of the "oversight" representative by the office or bureau concerned;

(b) Requests for internal materials and files relating to pending matters shall be referred to the Board;

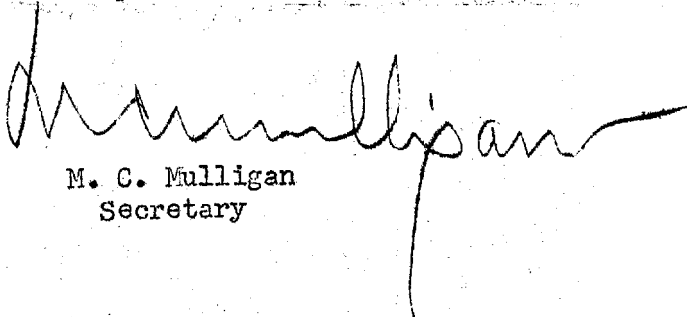
(c) The representative shall not be permitted to inspect any file except in compliance with this staff notice;

written request from the Subcommittee with respect thereto, the Board will be governed by the instructions of the Subcommittee. Where security communications are involved, the Board will, in the event of refusal to release by the originating establishment, refer the matter to the Subcommittee for action.

(d) Each Bureau and Office Head is charged with responsibility for the carrying out and observance of these instructions with respect to the files in the custody of his organization;

(e) The Chief, Office of Information, or such member of his staff as he may designate, shall serve as coordinating officer with respect to inspection requests, and shall promptly initiate clearances for inspection both within the Board and from other agencies and Departments of the Government. In cases of doubt under these instructions and with respect to matters requiring Board approval, the concurrence of the Office of the General Counsel shall be obtained.

4. Staff Notice No. 333, dated September 30, 1957, is hereby superseded by this revised notice.


M. C. Mulligan
Secretary

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